

REMARKS

Reconsideration of this application is respectfully requested. Claims 1, 8, 15, 20, 24 and 27 have been amended. The amendments are supported by specification as filed, for example at Abstract, ¶ 0005, 0006 and 0016. No new matter is added.

All of the present claims are patentable over Marler et al. (US Patent Application 2001/0003212) and are further patentable over Mao et al. (US 6,459,427) even when considered in combination with Marler or Zdepski et al. (US 6,006,256).

Marler describes a mechanism of transmitting ancillary information as well as information used to identify the ancillary information along with the video data. However, Marler neither teaches nor suggests creating integrated video data stream by integrating interactive content with an unmodified video data stream in response to one or more triggers based on one or more rules, as presently claimed.

One of the ways Marler transmits ancillary information with television content is by using ATVEF specification-compliant techniques. Marler ¶ 0003. In accordance with the ATVEF specification, enhancement data added to the transmission may include ATVEF announcement, a resource and a trigger. "The three components may be transmitted using IP multicast to the receiver." Marler ¶ 0020. Thus, the triggers discussed in Marler are a component of enhancement data that gets added to the video stream. They are not triggers based on one or more rules that trigger the automatic creation of integrated video data stream that can be transmitted to receivers. In other words, the triggers discussed by Marler are part of the interactive content and are used to enable interactivity by synchronizing enhancement data with the TV transmission. Marler ¶ 0021. Importantly, there is no integrated video data stream being created by integrating interactive content with an unmodified video data stream in response to one or more triggers based on one or more rules, where integrated video data stream is subsequently transmitted to receivers, as presently claimed.

The content creator 12, discussed at ¶ 0013 and Fig. 1 in Marler, combines enhancement data and television content does not perform any integration in response to one or more triggers based on one or more rules. Instead, the content creator inserts triggers as enhancement data into the television content to

create enhanced television content. Marler ¶ 0020. The ATVEF triggers discussed in Marler are real time events for enhanced television programs that help synchronize the enhancement data with the TV transmission. For example, they are signals to notify users of enhanced content availability. Marler ¶ 0021, 0038. Triggering of enhanced television action should not be confused with triggering of automatic integration of interactive content with an unmodified video data stream, based on one or more rules, to create an integrated data stream, as presently claimed. Even if, for argument sake, the synchronization of enhancement data with TV transmission is considered to be equivalent to integration of interactive content in video data stream, the integration is not happening in an unmodified video data stream in Marler, as the video stream was already enhanced before the event was triggered. Thus, the present claims are patentable over Marler.

The Office Action concedes that Mao neither teaches nor suggests creating an integrated video data stream by integrating interactive content with a video data stream in response to one or more triggers based on one or more rules, as presently claimed. As discussed above, Marler fails to cure this deficiency. Thus, the combination of Mao and Marler also fails to teach this feature.

Likewise, Zdepski neither teaches nor suggests creating an integrated video data stream by integrating interactive content with an unmodified video data stream in response to one or more triggers based on one or more rules, as presently claimed. Zdepski describes a mechanism to add interactive programming to a television signal prior to broadcasting. In Zdepski, the triggers are part of the interactive content (much like the triggers discussed by Marler) and are not triggers based on one or more rules, based on which interactivity gets integrated in an unmodified video data stream, as claimed. As admitted in the Office Action, the digital broadcast station in Zdepski receives a combined signal and the combination does not result based on any triggers. Prior to conveying the television signal to the digital broadcast station, the remote networks insert triggers within the vertical blanking interval of the signal. Zdepski Abstract. Any action that happens after that, for example, use of extracted triggers to load or play the interactive program, and following insertions, is happening on a modified video data stream. Zdepski col. 2 ll. 27-30. Consequently, adding the teaching of Zdepski to those of Mao fails to yield the presently claimed invention.

For at least the foregoing reasons, the present claims are patentable over the cited references,

whether considered alone or in combination with one another as proposed in the Office Action.

If there are any additional fees due in connection with this communication, please charge our deposit account 19-3140

Respectfully submitted,
SONNENSCHEIN NATH & ROSENTHAL LLP

Dated: October 3, 2008

Tarek N. Fahmi/

Tarek N. Fahmi
Reg. No. 41,402

PO Box 061080
Wacker Drive Station, Sears Tower
Chicago, IL 60606-1080
650-798-0320